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Activities of the Ethics Office

Report of the Secretary-General

Summary

The present report is submitted in accordance with General Assembly resolution 60/254 on the review of the efficiency of the administrative and financial functioning of the United Nations, in which the Assembly requested the Secretary-General to report annually on the activities of the Ethics Office and the implementation of ethics policies. The report also includes information on the activities of the United Nations Ethics Committee, as mandated by the Assembly in resolution 63/250 on human resources management.

The present report covers the period from 1 August 2011 to 31 July 2012.

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I. Introduction

1. The present report, the seventh since the establishment of the United Nations Ethics Office in January 2006, is submitted pursuant to General Assembly resolution 60/254, paragraph 16 (i), by which the Assembly requested annual reporting on the activities of the Ethics Office and the implementation of ethics policies.

2. The present report provides an overview and assessment of the work programme of the Ethics Office pursuant to its mandate to secure the highest standards of integrity of staff members and to foster a culture of ethics, transparency and accountability within the Organization. The report addresses advances by the Office in the provision of ethics services to United Nations Secretariat staff members and to the Organization subsequent to the 2010-2011 reporting period.

3. The report also provides information on the Organization's first ethics and reputational risk assessment for United Nations peacekeeping operations as conducted by the Ethics Office. The assessment, designed to identify significant ethical and reputational risks arising in peacekeeping operations, will enable the development and implementation of measures to mitigate the identified risks, thereby ensuring the effective use of peacekeeping resources and safeguarding the Organization's reputation.

4. The General Assembly, in its resolution 66/234, endorsed the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions (A/66/511), including that ethics briefings be mandatory for senior United Nations managers. In that regard, and given the importance of establishing an ethical "tone from the top" for the purpose of promoting an ethical culture throughout the Organization, the report also addresses efforts by the Director of the Ethics Office to strengthen engagement with senior leadership, including through the initiation of a consultative and cascading ethics dialogues process involving management and staff.

5. The report is also submitted in response to General Assembly resolution 63/250 on human resources management, in which the Assembly, having welcomed the establishment of the United Nations Ethics Committee, requested the Secretary-General to include in his report information on the activities of the Committee.

II. Background and general information

6. The Ethics Office was established by the Secretary-General in accordance with paragraph 161 (d) of General Assembly resolution 60/1, entitled "2005 World Summit Outcome", in which the Assembly requested the Secretary-General to submit details on an ethics office with an independent status. Having commenced operation on 3 January 2006, the main areas of responsibility of the Office are as follows:

(a) Providing confidential advice and guidance to staff on ethical issues, including administering an ethics helpline;

(b) Administering the financial disclosure programme of the Organization;

(c) Undertaking the responsibilities assigned to it under the United Nations policy for the protection of staff against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations;

(d) Developing standards, training and education on ethics issues, in coordination with the Office of Human Resources Management and other offices as appropriate, and conducting ethics outreach;

(e) Supporting ethics standard-setting and enhancing policy coherence.

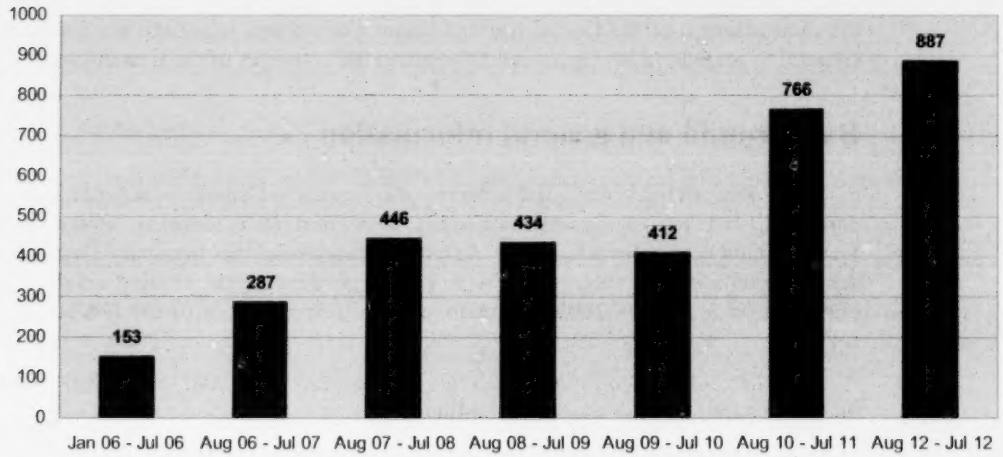
7. In pursuing its core mandates, the Ethics Office assists the Secretary-General in ensuring that all staff perform their functions in accordance with the highest standards of integrity and uphold the Charter of the United Nations. The Office works to promote and sustain an ethical organizational culture based on accountability, transparency and respect in order to enhance the effectiveness and credibility of the United Nations.

8. In respect of the Secretariat, including duty stations in New York, Geneva, Vienna and Nairobi, all regional commissions, peacekeeping operations, special political missions and other designated offices, the Ethics Office received a total of 887 requests for its services from 1 August 2011 to 31 July 2012. That figure represents an increase with respect to the 766 service requests received in the previous reporting period and attests to the continuing importance of the Office as a secure and confidential consultative resource for staff on matters related to ethics, values and organizational culture. Figure I below provides a comparison of the service request figures for the period 2006-2012.

9. The 887 requests received by the Ethics Office represent approximately 2 per cent of the total Secretariat staff population.

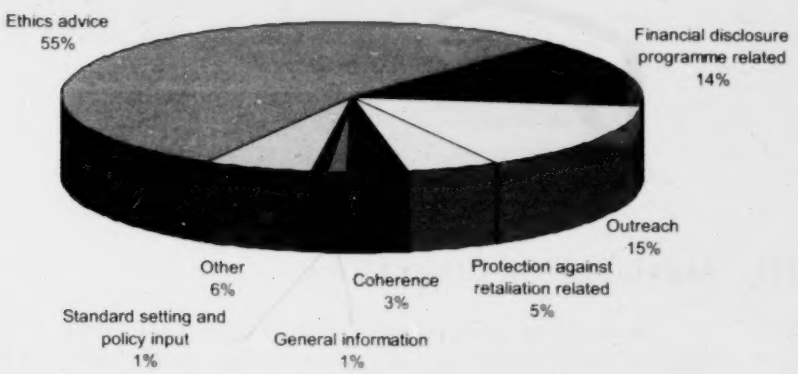
Figure I

Overall requests for Ethics Office services by reporting cycle, January 2006-July 2012



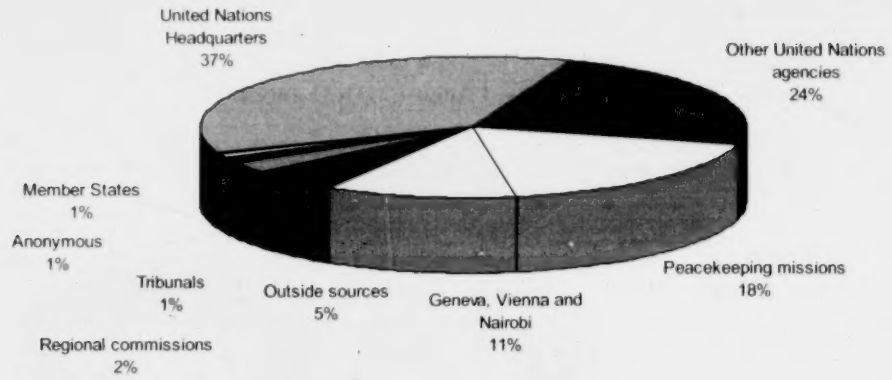
10. Reflecting the scope of the activities of the Ethics Office, requests for assistance covered a broad range of issues, including, inter alia, financial disclosure programme inquiries, permissibility of outside activities, acceptance of gifts, honours and awards, ethics training, ethics policy review and advice and protection against retaliation. A breakdown of service requests by category is provided in figure II below.

Figure II
Service requests by category, 1 August 2011-31 July 2012



11. As illustrated in figure III, the Ethics Office receives requests for its services from offices across all geographical locations. A 9 per cent increase in the percentage of requests coming from outside Headquarters was noted in the previous reporting cycle, which was attributed to the organizational outreach initiatives undertaken by the Office in 2010-2011. The percentage of requests from outside Headquarters increased from 57 per cent in 2010-2011 to 63 per cent in the present reporting period, demonstrating the continuing effectiveness of the ongoing efforts of the Office to engage with staff members outside of New York. As staff become more familiar with the services provided by the Office and develop trust in its efficacy, they are more likely to seek advice and guidance proactively to avoid risk, rather than retroactively and defensively.

Figure III
Service requests by source, 1 August 2011-31 July 2012



III. Activities of the Ethics Office

12. During the reporting period, the Ethics Office continued to actively build upon its achievements within each of its core mandate areas. In addition to consolidating and strengthening core ethics programmes, the Office expanded its work programme in relation to ethics training and engagement with senior United Nations leadership.

A. Advice and guidance

13. Through its provision of ethics advice and guidance, the Ethics Office plays an essential risk prevention function within the Organization. In providing advice on relevant standards of conduct and by clarifying staff obligations under applicable rules and regulations, the Office enables staff to make better decisions that advance the values, principles and interests of the United Nations. Confidential ethics advice serves to prevent, mitigate and resolve actual or perceived personal conflicts of interest that could undermine the reputation and credibility of the Organization.

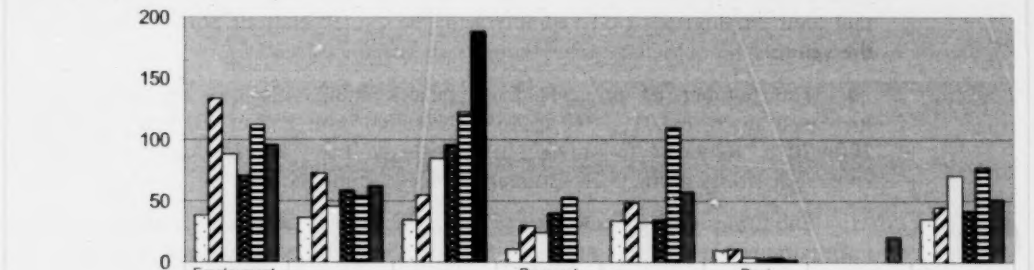
14. Pursuant to its mandate to provide confidential ethics advice and guidance to staff, management and United Nations departments/offices, the Ethics Office does not replace existing mechanisms available to staff for the reporting of misconduct or the resolution of grievances. In September 2011, in order to help staff understand the roles and mandates of the multiple entities within the Organization that address staff concerns, the Office distributed "The road map: a staff member's guide to finding the right place" to all field missions, executive offices, regional commissions and regional offices. The guide is also available on the new website of the Ethics Office (www.un.org/en/ethics/), which is discussed in paragraph 54 below. The guide is an essential staff resource for navigating the United Nations

system. It has been very well received by both United Nations staff and management, and an updated second edition will be published in 2012-2013.

15. With the support of the Office of Human Resources Management, the Ethics Office rewrote and expanded the 2005 version of the United Nations ethics guide. The revised guide, entitled "Working together: putting ethics to work", serves as a companion piece to the road map, and provides further guidance to staff on the fundamental ethical values and standards of the Organization as applicable to their daily work. The guide presents complex ethical concepts in an accessible manner and includes a user-friendly format, references to relevant rules and regulations, examples and frequently asked questions. While primarily available on the new website of the Office, limited print editions of the guide are available upon request.

16. During the reporting period, the Ethics Office received a total of 475 requests for ethics advice and guidance, representing 55 per cent of all service requests received (see figure II). Figure IV below provides the categories and breakdown of requests for ethics advice. Information pertaining to such categories is provided below in the section on the financial disclosure programme.

Figure IV
Requests for ethics advice by cycle, August 2011-July 2012



	Employment-related concerns	Gifts and hospitality	Outside activities	Personal investments and assets	Allegations of wrongdoing	Post employment restrictions	Procurement ethics	Other conflict of interest
Aug 2006 - July 2007	38	36	34	10	33	9	0	35
Aug 2007 - July 2008	133	72	55	30	48	10	0	44
Aug 2008 - July 2009	88	45	84	24	32	4	0	70
Aug 2009 - July 2010	70	58	95	40	34	3	0	42
Aug 2010 - July 2011	112	54	122	53	109	4	0	77
Aug 2011 - July 2012	95	62	188	0	57	2	20	51

Note: Advisory matters formerly classified as "personal investments and assets" are now categorized separately under the financial disclosure programme.

17. The largest number of requests for advice concerned "outside activities". Such requests experienced a 54 per cent increase, from 122 in 2010-2011 to 188 in 2011-2012, which indicates that staff increasingly understand the inherent risk of such engagements. The Ethics Office provides advice and guidance on the appropriateness of contemplated outside activities and on approval procedures.

18. As shown in figure IV, the Office has established a new advice category entitled "Procurement ethics", which reflects the increasing ethics advisory assistance requested by the Procurement Division. The Office provides independent

advice on issues related to the ethics, anti-corruption and corporate compliance programmes of vendors seeking to do business with the United Nations. In particular, the Office provides independent advice to the Procurement Division on (a) the suitability of external ethics and compliance experts who are proposed by vendors and who verify that the vendor has implemented ethics, anti-corruption and compliance programmes that satisfy United Nations expectations; and (b) whether the vendor's documentation concerning its corporate ethics and compliance programme provides sufficient reassurance to the United Nations about third-party reputational risks. Over the past 24 months, the Office responded to queries from the Procurement Division related to 17 vendors who were in the process of being reinstated. The Office was informed that nine vendors had been invited by the Procurement Division to initiate their re-registration applications. The Office also responded to requests for advice from the Procurement Division on potential organizational conflicts of interest and reputational risks and provided independent technical support concerning issues arising in connection with the implementation of the model policy framework on vendor eligibility.

19. The Ethics Office provided independent advice to the Department of Management and the Department of Field Support concerning the development of a compliance monitor for two vendors providing critical services to the Department of Field Support. The compliance monitor establishes a contractual oversight mechanism through which the vendors may continue to provide services, provided that their employees strictly comply with the United Nations policies applicable to the vendors.

20. The number of requests from peacekeeping missions for ethics advice increased again in 2011-2012 to 159, compared with 135 in 2010-2011 and 53 in 2009-2010. Requests for advice were received from all missions, reflecting the concerted efforts of the Office to reach peacekeeping staff.

21. The Ethics Office responded to enquiries from other United Nations entities on information-sharing, best practices, policies, and ethics advice and guidance. The entities included the World Intellectual Property Organization, the Food and Agriculture Organization of the United Nations (FAO), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Joint Staff Pension Fund, the World Bank, the International Civil Aviation Organization, the World Health Organization (WHO), the United Nations Environment Programme (UNEP), the United Nations Human Settlements Programme (UN-Habitat) and the secretariat of the United Nations Framework Convention on Climate Change.

B. Financial disclosure programme

22. The Ethics Office is mandated to administer the financial disclosure programme. The goal of the programme is to identify, manage and mitigate the risk of personal conflicts of interest in pursuit of strengthening public trust in the integrity of the Organization. In accordance with Secretary-General's bulletin ST/SGB/2006/6, designated staff members, including all staff at the D-1 level and above and those involved in procurement and investment, are obliged to file annual disclosure statements. The review of financial disclosure statements is outsourced to an external party.

23. A total of 4,306 staff members participated in the 2011 filing cycle, beginning 1 March 2011 and covering the financial disclosure reporting period of 1 January to 31 December 2010. Of that number, 1,094 were new or non-recurrent filers. A total of 99.9 per cent of the participants (or 4,303 staff members) complied with their filing obligations, representing the highest overall compliance level in the history of the programme.

24. In 2011, the Ethics Office continued to take measures to support compliance with programme requirements. The Office held briefings at the beginning of the cycle for filers and other interested staff members, including departmental focal points, who provide direct support and follow-up in respect of the programme at the departmental level. The Office gave briefings on the programme in ethics workshops, staff orientation courses and town hall meetings. The Office provided enhanced technical support to staff experiencing technical filing difficulties and responded to individual filer queries within a 48-hour window. Staff members who failed to adhere to their disclosure obligations after having received Ethics Office support were referred on a monthly basis to their departmental focal points and department heads for internal follow-up. Enhanced efforts were undertaken by the external reviewer of the programme to follow up with concerned staff, before non-compliance cases were referred back to the Office. The 99.9 per cent compliance rate of the programme is directly attributable to such efforts. The Office continued to reach out to all participating departments/offices and filers in an effort to ensure full compliance with the programme.

25. For the 2011 filing cycle, a total of 214 participants were selected for the verification process on the basis of a stratified random sample across different grades, departments/offices and duty stations. In addition to the participants selected at random, participants from the 2010 filing cycle who had not provided complete third-party documentation were reselected for the 2011 verification process. For the first time in the history of the financial disclosure programme, all of the participants selected for the 2011 verification process submitted complete third-party documentation, as had been requested.

26. During the 2011 filing cycle, the external reviewers of the programme identified 80 filers (1.9 per cent of the filing population) as having a total of 103 items that had given rise to potential or actual conflicts of interest requiring resolution, compared with 102 filers (2.5 per cent of the filing population) with a total of 150 items in 2010. Of the 103 conflicts identified in 2011, 14 related to financial holdings, 65 to outside activities and 24 to family relationships. The reviewers, in consultation with the Ethics Office, issued recommendations regarding actions to be taken in order to remedy the conflicts. Table 1 below provides a comparative breakdown of the remedial actions taken for identified cases for both 2010 and 2011. Where an item no longer presented a potential conflict of interest, no further action was required.

Table 1
Remediation of conflict of interest cases in the 2010 and 2011 filing cycles

	Number of conflicts		*No further action*		*Obtain approval*		*Recusal*		*Managed account*		*Other*	
	2010	*2011*	*2010*	*2011*	*2010*	*2011*	*2010*	*2011*	*2010*	*2011*	*2010*	*2011*
Financial interests	58	14	12	3		1	34	10	8		4	
Outside activities	50	65	16	10	29	47		1			5	7
Family relationships	42	24	6	3			32	20			4	1
Total	**150**	**103**	**34**	**16**	**29**	**48**	**66**	**31**	**8**	**0**	**13**	**8**

27. In addition to providing guidance on mitigating and managing personal conflicts of interest identified through the financial disclosure programme during its regular filing cycle, the Ethics Office continued to respond to requests for advice on a range of issues related to the programme, including personal investments, outside activities and family relationships. During the period from 1 August 2011 to 31 July 2012, the Office responded to 56 requests related to financial disclosure matters.

28. By the close of the 2011 filing cycle, only three participants had failed to comply with their obligations under the programme, compared with 34 in the 2010 filing cycle. Of those three, two were staff members from participating United Nations entities other than the Secretariat. The remaining staff member from the Secretariat was referred to the Office of Human Resources Management for appropriate action. The significant increase in compliance with the programme for the 2011 filing cycle attests to the enhanced efforts of the Ethics Office, in collaboration with concerned offices, in ensuring programme obligations are understood and adhered to by participating staff members.

29. In its resolution 63/250, the General Assembly endorsed a recommendation by the Advisory Committee on Administrative and Budgetary Questions that in future reports on the activities of the Ethics Office the Secretary-General provide data, by duty station, on the number of individuals covered by the programme, the number of individuals who have complied with their filing obligations, the number of individuals who have failed to comply with those obligations, and the reasons for their failure to comply. Information concerning the 2011 financial disclosure programme by department/office within the United Nations Secretariat is contained in the annex to the present report.

30. The United Nations voluntary public disclosure initiative continued during the 2011 filing cycle with additional advancements. While 111, or 81 per cent, of senior United Nations officials at the level of Assistant Secretary-General and above had participated in the initiative in 2010, a total of 129 senior officials participated during the 2011 cycle, representing a 93.5 per cent participation rate. Of those participants, 87 officials (or 67 per cent) opted to publicly disclose a summary of their assets, liabilities and outside interests, demonstrating their commitment to transparency and their recognition of the need to assure the general public and Member States that in the discharge of their official duties they were not influenced by personal considerations. The remaining 42 officials (or 33 per cent) publicly affirmed that they had duly completed their confidential financial disclosure statements as required by the Organization. The voluntary public disclosures of senior officials are posted on the website of the Secretary-General.

31. Concerning the 2012 filing cycle, a total of 4,594 staff members were enrolled as at 31 July 2012. Figure V and table 2 below provide a comparison of the participation levels between the various annual filing cycles of the financial disclosure programme, including a breakdown by organizational grouping.

Figure V
Financial disclosure participation by entity and filing year, 2008-2012

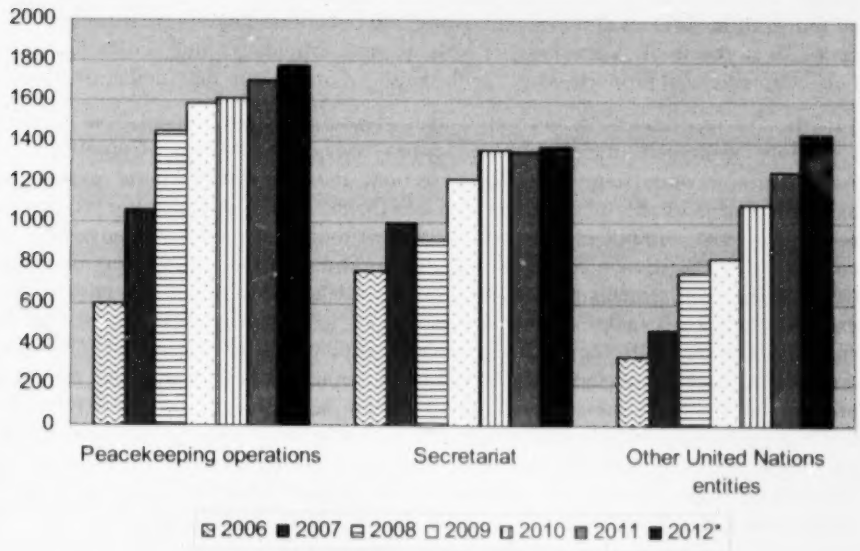


Table 2
Financial disclosure participation by entity and filing year, from 2006 to 2012

	Peacekeeping operations	*Secretariat*	*Other United Nations entities*	***Total by year***
2006	603	762	339	**1 704**
2007	1 062	997	469	**2 528**
2008	1 449	919	750	**3 118**
2009	1 584	1 212	822	**3 618**
2010	1 700	1 253	1 112	**4 065**
2011	1 697	1 351	1 258	**4 306**
2012*	1 771	1 380	1 443	**4 594**

* As of 31 July 2012.

32. While the financial disclosure programme is targeted primarily at the Secretariat, other United Nations entities[1] also participate on a cost-sharing basis. This enables a coherent approach in implementing financial disclosure policies and assists the entities in managing personal conflict of interest risks.

33. Since the commencement of the programme, the filer population has increased significantly, from 1,704 in 2006 to 4,594 as at 31 July 2012, representing an increase of 170 per cent (see table 2 above). The external costs of administering the programme, such as the programme's information technology platform, administration services and system hosting, have increased by approximately 32 per cent. As a result of economies of volume and efficiency, such costs have not, however, increased proportionately with the sharp increase in the number of filers.

34. In its resolution 66/234 on human resources management, the General Assembly endorsed the recommendations of the Advisory Committee on Administrative and Budgetary Questions that the Secretary-General explore all available means of obtaining review services for the financial disclosure programme at a lower cost without compromising confidentiality, consider the possibility of consolidating the review function with the information technology services when defining the requirements for the programme during the forthcoming procurement exercise, and keep under review the matter of filing periodicity. Given that the current contract with the external review vendor for the financial disclosure programme expires in January 2013, the Secretariat has initiated the rebidding process for the procurement of external review services and certain information technology services, in accordance with standard procurement procedures. Efforts are being made by the Secretariat to explore ways to contain the costs of the programme. Concerning the information technology platform that supports the programme, the Secretariat is in the process of identifying funds for the development of a new platform. Pending the integration of the new platform into the programme once funds have been secured, the current platform will continue to be maintained and enhanced through regular upgrades to ensure its viability. The Ethics Office continues to consider the matter of filing periodicity, bearing in mind the risk profile of the Organization.

35. In its resolution 66/234, the General Assembly endorsed a recommendation by the Advisory Committee on Administrative and Budgetary Questions calling for a review of the regulatory framework of the financial disclosure programme so as to accord the Ethics Office a greater role in determining the filing population and to formulate a more focused set of eligibility criteria. The Office is in the process of consulting with other concerned offices, including the Office of Legal Affairs, the Office of Human Resources Management and the Office of the Controller, to identify areas where further guidelines, clarification and/or revision to the current policy governing the financial disclosure programme should be considered in order

[1] The following United Nations entities currently participate in the programme: the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the United Nations Institute for Disarmament Research, the United Nations Interregional Crime and Justice Research Institute, the Joint United Nations Programme on HIV/AIDS, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, the Office of the United Nations High Commissioner for Refugees, the United Nations Compensation Commission, the United Nations Framework Convention on Climate Change, the United Nations Institute for Training and Research, the United Nations University and UN-Women.

to define eligibility criteria more clearly and to better determine the filing population based on the risk profile of the Organization.

36. The Secretariat has undertaken a number of measures to address and mitigate personal conflicts of interest, as requested by the General Assembly in its resolution 66/234. Such measures include providing information and guidance on managing conflicts of interest to staff during new staff orientation and regular mandatory ethics workshops, as well as other training and briefing sessions. The Ethics Office has developed a new website and ethics guide, which provides practical guidance to staff on a broad range of ethics-related issues, including how to prevent, identify and mitigate conflicts of interest in the performance of official duties.

37. The financial disclosure programme has enhanced the awareness of participating staff of the need to protect themselves and the United Nations against reputational risk and personal conflicts of interest. Over the past six years, the programme has reviewed over 19,000 individual financial disclosure statements. The programme has grown from an original 1,704 participants in 2006 to over 4,500 in 2012. Because participants are added to the programme upon joining the United Nations or upon promotion or change in functions, the programme is effective in identifying and managing potential conflicts of interest early on and prior to actual conflicts emerging.

38. Since 2006, over 109,000 e-mail and telephone communications have been held between staff members and the external reviewer regarding the review of staff financial disclosure statements. The enhanced awareness of conflicts of interest is further evidenced by the development of a securities pre-clearance programme by the United Nations Joint Staff Pension Fund, and by the decrease in the number of conflict cases dealing with financial assets. While 58 such cases were reported in the 2010 programme, only 14 cases arose in 2011, as shown in table 1 above.

39. The financial disclosure programme has raised greater awareness among participating staff members of relevant organizational rules and polices. For example, in the course of notifying staff members of the requirement since 2008 to seek approval for outside activities, the programme has recommended that staff obtain approval for 170 previously unapproved outside activities. Recommendations and correspondence have served to educate participants about conflicts of interest. Staff members who become aware of the nature and risks surrounding their conflicts of interest are less likely to enter into similar situations in the future.

40. The programme has brought to light risk situations that may otherwise have gone unnoticed and caused harm to the reputation of the Organization. In particular, the programme detected a broad conflict of interest situation that led to a procedural review aimed at preventing such situations from recurring. The programme has contributed significantly to raising staff awareness and ensuring adherence to integrity standards, particularly those concerning outside activities and family relationships.

41. In response to the request by the General Assembly in its resolution 66/234 that the Secretary-General propose measures to address personal conflicts of interest, such as those concerning the extension of the financial disclosure programme to other staff categories and post-employment restrictions, the Ethics Office is in the process of consulting relevant offices. The current policy on post-

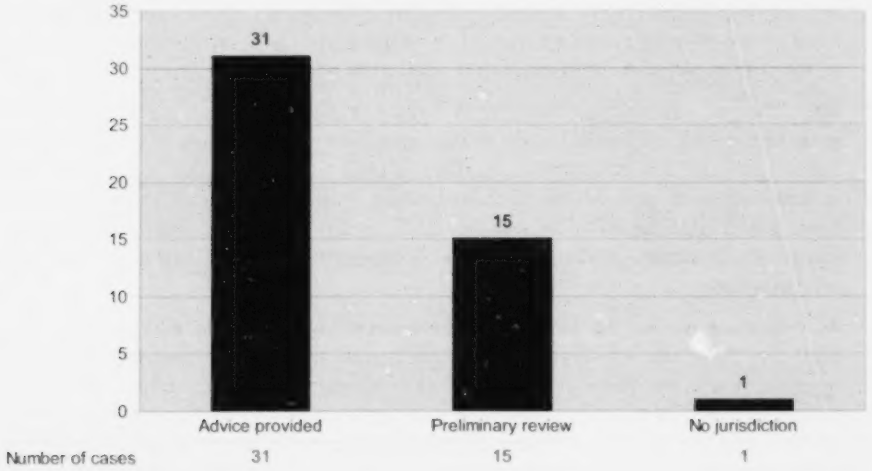
employment restrictions primarily covers staff involved in the procurement process, including requisitioners, as defined in the United Nations Procurement Manual.

C. Protection of staff against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations

42. Pursuant to Secretary-General's bulletin ST/SGB/2005/21, staff members who believe they have been subject to retaliatory action as a consequence of either having reported misconduct or for having cooperated with a duly authorized audit or investigation may file a request for protection against retaliation with the Ethics Office. The Office conducts preliminary reviews of protection requests to determine if the complainant engaged in a protected activity and, if so, whether the protected activity was a contributing factor to the alleged retaliation. If the Ethics Office determines that a prima facie case of retaliation has been established, the case is referred to the Office of Internal Oversight Services, or an alternate investigating mechanism if required, for formal investigation. The Ethics Office will make a final retaliation determination subsequent to receipt and assessment of the completed investigation report and evidential materials.

43. From 1 August 2010 to 31 July 2011, the Ethics Office received 46 inquiries related to protection against retaliation. Concerning those inquiries where staff members specifically requested protection against retaliation in accordance with Secretary-General's bulletin ST/SGB/2005/21, the Office initiated 15 preliminary review assessments, as shown in figure VI below. For the 15 preliminary review assessments, the Office completed its review of 14 cases, with 2 of the cases referred for investigation subsequent to prima facie findings of retaliation by the Office. While it was determined that there was no prima facie case of retaliation for 12 of the cases, the preliminary review process remains under way with regard to the remaining case.

Figure VI
Actions taken on requests for protection, 1 August 2011-31 July 2012



44. Regarding the 30 inquiries that did not involve preliminary review assessments, 1 was determined to have fallen outside the scope of the mandate and the remaining 29 involved the provision of advice on the policy of the Organization on protection against retaliation. Staff members who raised grievance issues not covered by the policy were directed to other relevant bodies including, inter alia, the Office of the United Nations Ombudsman and Mediation Services, the Office of Staff Legal Assistance, the Management Evaluation Unit and the Office of Human Resources Management.

45. Concerning one of the two prima facie case findings referenced in paragraph 43 above, the Ethics Office additionally facilitated interim protection measures, including the suspension of a performance evaluation and the reassignment of reporting officers.

46. Regarding the implementation of final corrective remedies, the current reporting period saw the implementation of a 2011 Ethics Office recommendation to the Executive Office of the Secretary-General that an individual who had been determined to have suffered retaliation be transferred to another Secretariat office. The implementation of that recommendation was achieved through the collaboration of the Executive Office of the Secretary-General and the Department of Management.

47. From August 2006 to July 2012, the Ethics Office initiated 106 retaliation complaint preliminary reviews. Of those 106 cases, 1 remains under review and 18 were closed as a result either of the complainant having withdrawn or abandoned his or her complaint or of the case having been resolved informally to the satisfaction of the complainant. For the remaining 87 complaints for which preliminary reviews were completed, the Office determined 9 prima facie cases of retaliation and referred those cases for formal investigation, pursuant to Secretary-General's bulletin ST/SGB/2005/21. Investigations were completed for five of the cases, after which the Office determined that retaliation had been established for one of them.

48. The enactment of the whistleblower policy of the Organization was an essential element of the internal reforms mandated by the 2005 World Summit and was intended to encourage staff members to report fraud, corruption, waste of resources and other serious forms of misconduct. The promotion of such reporting furthers the capacity for institutional redress and ultimately serves to protect the integrity and credibility of the Organization.

49. Despite that intent, the overwhelming majority of reports of misconduct cited in retaliation complaints submitted to the Ethics Office have not involved serious misconduct that could be harmful to the Organization, but rather allegations of inappropriate conduct directed at the complainant from within his or her management chain. The current policy is being overwhelmingly utilized as a staff grievance mechanism pertaining to work performance matters, rather than fulfilling its purpose of facilitating reports of serious misconduct concerning behaviour that may cause severe consequences for the Organization if left unidentified and unaddressed.

50. In the course of administering Secretary-General's bulletin ST/SGB/2005/21, the Ethics Office has identified shortcomings with the bulletin and the need for greater clarification of the roles and responsibilities of various offices in order to facilitate the effective implementation of existing whistleblower protection within

the Organization. In order to remedy the shortcomings, and in pursuit of making the policy of the Organization on protection against retaliation more robust and effective, a comprehensive, structured review of the existing policy is being considered with a view to enhancing how the Organization encourages the reporting of serious misconduct, protects whistleblowers from retaliation and intervenes to prevent retaliation from occurring. The modalities of such a review are currently under discussion.

D. Outreach, training and education

51. During the 2010-2011 reporting cycle, the Ethics Office undertook significant efforts to expand outreach activities to staff based in duty stations outside of New York. Direct engagement with field-based staff remains essential in order to broaden the awareness of Office services, manage the intake of ethics-related staff concerns and strengthen and consolidate an ethical culture across the Organization.

52. During the reporting period, the Ethics Office continued its efforts to enhance interaction with field staff on ethics issues. The Director of the Ethics Office, with the support of Office personnel, conducted field visits to the United Nations Office at Vienna, the United Nations Office on Drugs and Crime, the United Nations Office at Nairobi, UNEP, UN-Habitat, the United Nations Support Office for the African Union Mission in Somalia, the Regional Service Centre at Entebbe, Uganda, the United Nations Office in Rwanda, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the United Nations Office at Geneva, the United Nations Conference on Trade and Development, the secretariat of the United Nations Framework Convention on Climate Change in Bonn, Germany, the United Nations Stabilization Mission in Haiti, FAO, the International Fund for Agricultural Development and the World Food Programme.

53. In the course of its outreach missions, the Ethics Office conducted individual consultations with staff and management, town hall meetings with field staff, targeted ethics presentations and focus group meetings, in order to address ethics issues pertaining to United Nations ethics standards, conduct, discipline, procurement and training. In total, face-to-face meetings were conducted with approximately 800 staff members.

54. In May 2012, the Ethics Office officially launched its new public website, which provides staff members and the public with a central resource for information relating to the mandate of the Office and a comprehensive overview of its individual services. Since it was brought online, the site has been visited more than 10,000 times, with information on ethics advice and training particularly accessed.

55. To further enhance the awareness of staff members of the Ethics Office, in 2011-2012 the Office produced a series of posters publicizing its services and contact information. It also developed information posters on protection against retaliation for distribution in Secretariat offices to raise awareness of the policy of the Organization in that regard and to encourage staff to speak out against behaviour that places the integrity of the United Nations at risk.

56. The Ethics Office intends to use its guides entitled "The road map: a staff member's guide to finding the right place" and "Working together: putting ethics to work" as ethics awareness-building and training tools.

57. Given the importance of training to expand ethical awareness and empower staff to exercise ethical judgement, the Ethics Office serves as the Secretariat expert on the design and development of ethics training. In accordance with its mandate to develop standards, training and education on ethics issues and ensure annual ethics training for all staff (see ST/SGB/2005/22), the Office in collaboration with the Office of Human Resources Management, organized in-person and online learning activities for Secretariat-wide staff.

58. Delivery of the workshop on the theme "Professional ethics and integrity in our daily work" continued at New York and at other duty stations throughout 2011-2012. Since its launch in 2006, more than 14,000 staff members system-wide have participated in the workshops. During the reporting period, approximately 600 staff members system-wide were accommodated at 30 workshop sessions. With the addition of internal expertise on ethics training, education and outreach, the Ethics Office will continue to update and design new training programmes to address emerging ethical challenges.

59. For the first time, the Ethics Office, in collaboration with the Office of Human Resources Management, certified three field-based staff members to facilitate the workshop. The trainers, located at the Regional Service Centre at Entebbe, Uganda, MONUSCO and the United Nations Mission in South Sudan, began offering workshops at their duty stations in July 2012.

60. Online ethics training was provided through the mandatory online learning programme entitled "Integrity awareness initiative" (see ST/SGB/2005/17), which is directed at staff members at all levels and focuses on core values and standards of integrity to be observed within the workplace environment of the Organization. Since its launch in 2005, more than 50,000 people have completed the training, including 5,300 people during the current reporting period. In collaboration with the Office of Human Resources Management, the Ethics Office intends to update the programme during the next reporting cycle.

61. The online training module of the Procurement Division entitled "Ethics and integrity in procurement", accessible via its training campus website, continued into its third year. More than 300 people completed the programme during the reporting period. The programme is mandatory for Procurement Division staff members and recommended for other staff categories with procurement-related functions and responsibilities.

62. In October 2011 the Director of the Ethics Office delivered the ethical leadership component for the Senior Leadership Induction Programme, held in New York for senior civilian, military and police leaders in peacekeeping missions. The Director of the Office also provided ethics training at the United Nations System Staff College in Turin, Italy, and during the Senior Mission Administration and Resource Training Programme held at the United Nations Logistics Base in Brindisi, Italy, in June and July 2012. The customized sessions similarly emphasized the importance of ethical leadership.

63. Pursuant to resolution 66/234, and recognizing that the behaviour of senior United Nations managers has a direct and lasting impact on the culture of ethics, integrity and accountability of the Organization, the Director of the Ethics Office conducted 26 confidential ethics induction briefings with incoming and newly appointed Assistant Secretaries-General and Under-Secretaries-General, including

Special Representatives of the Secretary-General and Deputy Special Representatives of the Secretary-General. Noting the large number of new appointments per annum at the D-1 and D-2 levels across all duty stations, the Office is examining ways to effectively extend such briefings to all incoming senior managers at those levels.

64. Ethics outreach is instrumental in promoting an ethical organizational culture. By focusing on an ethical "tone from the top", the Organization helps to sustain that culture. The 2011 senior manager compact cycle of the Secretary-General included the objective of supporting the commitment of the Organization to an ethical culture. Upon the request of the Under-Secretary-General for Management, the Director of the Ethics Office conducted confidential ethical leadership behaviour assessments of all Under-Secretaries-General who had signed senior manager compacts. Participating Under-Secretaries-General received confidential feedback on the results of the process. The initiative has enabled members of the senior leadership team to consider how specific ethical leadership behaviours have affected their abilities to lead and motivate their teams.

65. The Ethics Office was also requested by the Secretary-General during the reporting period to create an enhanced ethical organizational culture by initiating the leadership dialogues project, under which the Office, with support from the Executive Office of the Secretary-General, the Office of Human Resources Management and Department of Management, is developing a discussion guide on what it means to be an international civil servant and the importance of the oath of office. Through a traditional management cascade process, starting with a guided discussion led by the Secretary-General with his senior leadership team, each successive layer of management will lead their immediate staff in a conversation on the oath of office. It is expected that the dialogue process will commence in late 2012 and be completed by 30 June 2013.

E. Standard-setting and policy support

66. Advocacy for ethics standard-setting and the provision of policy advice remain key functions of the Ethics Office. The commitment by the Organization to uphold ethical values and standards and fully integrate them into organizational policies, regulations, guidelines and operating procedures contributes to ensuring that such standards are observed in the performance of official duties.

67. During the reporting period, the Ethics Office provided support and advice on ethics standard-setting and policy questions to various departments/offices within the Secretariat and to funds and programmes. Substantive policy advice was provided on a range of ethics-related issues, including the terms and conditions for the recruitment of certain types of personnel, personal and organizational conflicts of interest and the inclusion of ethics considerations in the conduct of organizational surveys.

68. The Ethics Office, in collaboration with the United Nations Ethics Committee, issued staff guidance notes on the receipt of gifts and involvement in outside activities. The notes provide practical and user-friendly guidance to staff members on their relevant obligations as international civil servants.

69. The Ethics Office also held frequent consultations with relevant departments/offices, including the Office of Human Resources Management, the Department of Management and the Office of Legal Affairs, on issues including the review of the financial disclosure policy, measures to enhance accountability and transparency and conflict of interest management. The Ethics Office further provided substantive input to the Office of Human Resources Management concerning the review of the standards of conduct for the international civil service.

70. In collaboration with the World Bank, the Ethics Office reviewed and analysed the results of a benchmarking survey on the ethics function in international organizations. The results of the research will be shared with the anti-corruption working group of the Group of Twenty.

F. Evaluating United Nations culture for ethics and integrity

71. In its resolution 66/234, the General Assembly endorsed the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions (A/66/511), including that the Secretary-General devise appropriate ethics evaluation criteria. In that report, the Committee commended the outreach efforts undertaken by the Ethics Office throughout 2010-2011 and noted the significant increase in the volume of service requests handled by the Office. The Advisory Committee stated, however, that the reported increase in volume of service requests received and the number of cases reviewed were not sufficient indicators to determine fully whether the objectives of promoting high standards of integrity and a culture of ethics were being achieved.

72. In that regard, and subsequent to a request from the Department of Field Support, from January to June 2012 the Ethics Office conducted the Organization's first ethics and reputational risk assessment of field operations. The risk assessment, which was carried out in a representative sample of peacekeeping operations, employed a scalable quantitative and qualitative methodology that was specifically designed to identify significant ethical and reputational risks that threaten the ability of the United Nations to fulfil its peace and security mandates. The assessment sought to establish a credible statistical baseline for monitoring the perceptions and attitudes of staff at all grade levels in field operations concerning the ethical culture at the United Nations and organizational and personal integrity. The results of the risk assessment will enable the Organization to take appropriate, prudent actions to address and mitigate the identified structural, procedural and behavioural risks, and thereby protect and enhance its reputation, use its resources more effectively and minimize the risk to successful mandate delivery.

IV. United Nations Ethics Committee

73. The United Nations Ethics Committee was established by Secretary-General's bulletin ST/SGB/2007/11, entitled "United Nations system-wide application of ethics: separately administered organs and programmes", which came into force on 1 December 2007. The primary responsibilities of the Committee are to establish a unified set of ethical standards and policies of the United Nations Secretariat and of the separately administered organs and programmes, and to consult on certain

important and particularly complex cases and issues having United Nations system-wide implications.

74. The United Nations Ethics Committee is composed of the heads of the Ethics Offices of the separately administered organs and programmes of the United Nations, and the Ethics Office of the United Nations Secretariat. As at 31 July 2012, the Committee's membership includes the United Nations Secretariat, the United Nations Development Programme, the United Nations Children's Fund, the United Nations Population Fund, the United Nations Office for Project Services, WFP, the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the Office of the United Nations High Commissioner for Refugees. The Ethics Office also provides ethics services to the staff of UN-Women at its request, in accordance with section 2.2 of Secretary-General's bulletin ST/SGB/2007/11, pending the designation of an Ethics Officer by that entity.

75. Pursuant to section 2.3 of Secretary-General's bulletin ST/SGB/2007/11, the Director of the Ethics Office chairs and provides functional leadership to the Committee in order to promote capacity-building and to ensure adherence to consistent methodology in the delivery of ethics-related services.

76. During the period from 1 August 2011 to 31 July 2012, the Committee met in 10 formal sessions. The priority of the Committee remains to enhance consistency in the application of ethics standards.

77. During the reporting period, the Committee continued to harmonize policies concerning financial disclosure, including the review methodology, filing eligibility criteria and provision of advice in managing conflicts. The Committee examined alternative risk-based approaches to financial disclosure adopted by different organizations, as well as Committee member programme experience, in order to improve programme effectiveness in detecting and mitigating conflicts of interest.

78. The Committee worked on common standard operating procedures and examined ways to enhance consistency in providing confidential advice. Committee members developed guidance notes applicable to United Nations personnel on outside activities, gifts and hospitality. The Committee shared experience in providing training and outreach, particularly in relation to induction briefings for senior management on ethical culture and leadership and in developing a common e-learning platform.

79. The Committee considered emerging ethical challenges posing individual, institutional and process risks. Some Committee members are also participants in the efforts of their organizations to develop anti-corruption initiatives and policies.

80. In November 2011, the Committee organized a workshop in New York on protection against retaliation for reporting misconduct or cooperating with authorized audits or investigations. The workshop focused on promoting coherence among Committee members of the policy and practice of the Organization on protection against retaliation, increasing consistency in decision-making across member offices by promoting harmonized operating procedures and providing advisory assistance to Committee members on the specific issues and challenges of protection against retaliation.

81. As mandated by Secretary-General's bulletin ST/SGB/2007/11, the United Nations Ethics Committee undertook a review of the annual reports of the Ethics

Offices of the United Nations Secretariat and the separately administered organs and programmes, and made recommendations as appropriate.

82. To date, the Committee is the sole institutionalized mechanism within the Secretariat and funds and programmes with a mandate to promote a coherent and consistent application of standards of ethics and integrity. Since its establishment, the Committee has contributed significantly to raising awareness about issues of individual and institutional integrity in the United Nations family and to addressing ethics issues coherently. It is essential that the Committee continue to be given the strongest support possible in order for it to carry on its mandated responsibility.

83. Pursuant to General Assembly resolution 66/234, in which the Assembly endorsed the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions (A/66/511), the process for renaming the United Nations Ethics Committee has been initiated by concerned offices within the Secretariat through a revision of Secretary-General's bulletin ST/SGB/2007/11.

84. The Ethics Office and the members of the Committee continued to participate in the activities of the Ethics Network of Multilateral Organizations. The Network was established on 21 June 2010 to support the efforts of the Secretary-General to promote system-wide collaboration on ethics-related issues within the United Nations family. The Network is a broad consortium of ethics offices and ethics functions from the United Nations system, aligned international organizations and multilateral and regional financial institutions. The Network actively supports professional development and the exchange of ethics policies and practices. The fourth meeting of the Network, jointly hosted by the World Trade Organization and WHO, was held in Geneva from 4 to 6 July 2012.

V. Conclusions and recommendations

85. In pursuing its mandate to promote and consolidate a culture of ethics, transparency and accountability within the United Nations, the Ethics Office continues to assess and strengthen its work in its core mandate areas. In addition to remaining a results-based service responsive to the Organization and its staff in the delivery of quality, confidential ethics advice, the Office proactively developed and implemented initiatives to further support the ethics and integrity culture of the Organization.

86. In order to strengthen the policy of the Organization on protection against retaliation so that it fulfils its purpose of encouraging staff to report serious misconduct that could be detrimental to its functioning and reputation, the Secretariat has initiated a comprehensive review of the current policy with a view to enhancing its effectiveness.

87. Concerning the promotion of ethical values and conduct among United Nations staff and management, in 2011-2012 the Ethics Office continued to undertake outreach missions to multiple duty stations, produced essential ethics guides, such as "Working together: putting ethics to work", and strengthened ethics training programmes. The Director of the Ethics Office further encouraged and supported ethics engagement by senior United Nations leadership, including through (a) provision of confidential ethics induction briefings with incoming and newly

appointed Assistant Secretaries-General and Under-Secretaries-General; (b) provision of confidential ethical leadership behaviour assessments for Under-Secretaries-General under the senior manager compacts; and (c) initiation of the leadership dialogues project. The Office will continue to support ethical leadership throughout the Organization in order to promote an integrity-based organizational culture.

88. In designing and conducting the first United Nations ethics and reputational risk assessment of its field operations, utilizing a repeatable and scaleable methodology, the Ethics Office developed evaluation criteria to effectively assess and measure both the perceived seriousness and likelihood of ethical risks and the impact of instituted remedial actions. Devised metrics will be applicable across the Organization to address individual, institutional and process risks and to allow for the development of effective action plans to prevent, mitigate and manage such risks.

89. Through its noted activities, the Ethics Office remains a leading advocate of the values and principles of the United Nations and will continue to promote an organizational environment committed to ethical conduct and institutional integrity.

90. **The General Assembly is requested to take note of the present report.**

Annex

2011 Financial disclosure programme compliance level

United Nations entity	*Required filers*	*Completed filings*	*Non-compliant(s)*
United Nations Secretariat			
United Nations Chief Executives Board for Coordination	1	1	–
Counter-Terrorism Committee Executive Directorate	4	4	–
Department for General Assembly and Conference Management	27	27	–
Department of Economic and Social Affairs	56	56	–
Department of Management	237	237	–
Department of Political Affairs, including special political missions	186	186	–
Department of Public Information	39	39	–
Department of Safety and Security	26	26	–
Economic and Social Commission for Asia and the Pacific	47	47	–
Economic and Social Commission for Western Asia	24	24	–
Economic Commission for Africa	82	82	–
Economic Commission for Europe	10	10	–
Economic Commission for Latin America and the Caribbean	44	44	–
Ethics Office	11	11	–
Executive Office of the Secretary-General	18	18	–
Office for Disarmament Affairs	7	7	–
Office for the Coordination of Humanitarian Affairs	19	19	–
Office of Administration of Justice	2	2	–
Office of Information and Communications Technology	18	18	–
Office of Internal Oversight Services	15	15	–
Office of Legal Affairs	20	20	–
Office of the Special Representative of the Secretary-General for Children and Armed Conflict	1	1	–
Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict	4	4	–
Office of the United Nations High Commissioner for Human Rights	18	18	–
Office of the Ombudsman and Mediation Services	2	2	–
Office of the Special Adviser on Africa	3	3	–
Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States	2	2	–
Office of the President of the General Assembly	7	7	–
Peacebuilding Support Office	5	5	–
Regional Commission New York Office	1	1	–
United Nations Joint Staff Pension Fund	64	64	–
United Nations Office at Geneva	83	83	–
United Nations Office at Nairobi	43	43	–

United Nations entity	*Required filers*	*Completed filings*	*Non-compliant(s)*
United Nations Office at Vienna	17	17	–
United Nations Office on Drugs and Crime	72	72	–
Research and training institutes	13	13	–
International tribunals and verification commissions	123	123	–
Subtotal (excluding peacekeeping operations)	**1 351**	**1 351**	–
Peacekeeping operations	1 697	1 696	1
United Nations bodies/agencies and others	1 258	1 256	2
Total	**4 306**	**4 303**	**3**